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Attorneys for Plaintiff  
United States of America

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

**UNITED STATES OF AMERICA,**

Case No. 12CR4868-DMS

**Plaintiff.**

V.

## CRAIG LASALLE WRIGHT.

**RESPONSE IN OPPOSITION TO  
DEFENDANT'S MOTION TO:  
(1) SUPPRESS EVIDENCE**

**Defendant.**

COMES NOW, the plaintiff, UNITED STATES OF AMERICA, by and through its counsel LAURA E. DUFFY, United States Attorney, and Harold W. Chun, Assistant U.S. Attorney, and hereby files its Response in Opposition to Defendants Motions, which is based upon the files and records of this case.

I

## **STATEMENT OF THE CASE**

On April 1, 2014, Wright filed a supplemental motion regarding his motion to suppress. Below is the government's response in opposition to the supplemental motion. The government incorporates the facts of the case from its initial response in opposition filed on March 4, 2014.

II

## **POINTS AND AUTHORITIES**

## A. PROBABLE CAUSE

Defendant no longer challenges the legality of the collective knowledge doctrine, but instead, contends that law enforcement had insufficient probable cause to stop the vehicle in which Wright was traveling in. Defendant's argument is flawed from the outset, as he contends that “[t]he government bases probable cause solely on the words of its informant.” [Def. Mot. at 2.] Defendant then quotes a short conversation between FBI Special Agent Chevron and the informant, suggesting this was the totality of evidence to stop the vehicle. [Id.] This, of course, is wrong. The traffic stop of Wright was not based solely on the brief quoted conversation, but on all of the evidence collected over the prior months leading up to the event. The evidence included numerous recorded meetings with Wright and McKennie discussing details of a cocaine sale, such as price, weight, frequency and dates. Furthermore, the stop is supported by the facts surrounding the events of that day, particularly with McKennie flying in from Chicago that day to purchase cocaine from the informant. Additionally, the informant himself can be deemed credible about the event, as the informant is aware s/he has nothing to gain by providing inaccurate information about Wright and McKennie, particularly since s/he is aware the information provided will lead to a traffic stop. Moreover, the informant was aware that the meeting was recorded, and so his/her actions could be examined after the fact.<sup>1</sup> Based on the totality of the circumstances, there was an abundance of

<sup>1</sup> As part of his arguments, Defendant notes that the informant was “desperate” to work off his/her sentence. Assuming this was true, this also cuts against Defendant’s argument, as the informant would have no incentive to deceive law enforcement about activities which s/he could benefit from.

1 evidence to establish probable cause to stop Wright's vehicle. Defendant's motion  
2 should be denied.

3 DATED: April 7, 2014

4 Respectfully submitted,

5 LAURA E. DUFFY  
United States Attorney

6 */s/Harold W. Chun*  
7 HAROLD W. CHUN  
8 Assistant U.S. Attorney

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Case No. 12-CR-4868-DMS

**Plaintiff,**

V.

CRAIG WRIGHT,

## Certificate of Service

## Defendant.

**IT IS HEREBY CERTIFIED THAT:**

I, Harold W. Chun, am a citizen of the United States and am at least eighteen years of age. My business address is 880 Front Street, Room 6293, San Diego, California 92101-8893.

I am not a party to the above-entitled action. I have caused service of Government's Response in Opposition to Motions on the following parties by courier service:

John Ellis, Federal Defenders of San Diego

I declare under penalty of perjury that the foregoing is true and correct. Executed on April 7, 2014.

s/ Harold W. Chun  
**HAROLD W. CHUN**